

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| <i>In re</i> Ex. Parte Application of |) | |
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| APPLE INC.; APPLE DISTRIBUTION |) | |
| INTERNATIONAL; AND APPLE RETAIL |) | |
| GERMAN B.V. & CO. KG |) | |
| |) | |
| Applicants, |) | Case No. 23-mc-437 (KMK) |
| |) | |
| For an Order Pursuant to 28 U.S.C. § 1782 |) | |
| Granting Leave to Obtain Discovery from |) | |
| Gerald Padian for Use in Foreign |) | |
| Proceedings |) | |
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**ORDER GRANTING *EX PARTE* APPLICATION OF APPLE INC. *ET AL* FOR AN
ORDER PURSUANT TO 28 U.S.C. § 1782 GRANTING LEAVE TO OBTAIN
DISCOVERY FOR USE IN A FOREIGN PROCEEDING**

This matter comes before the Court in the ex parte Application of Apple, Inc., Apple Distribution International Limited, and Apple Retail Germany B.V. & Co. KG (collectively, “Apple”) for an Order to Obtain Discovery for Use in Foreign Proceedings pursuant to 28 U.S.C. § 1782(a) (the “Application”), which seeks documents and testimony from Gerald Padian in connection with a patent litigation proceeding pending between Apple and Scramoge Technology Limited in Germany.

This Court, having fully considered the papers on file and submitted herewith, and good cause appearing, hereby GRANTS the Application of Apple.

IT IS HEREBY ORDERED that:

- (1) Apple is granted leave to issue subpoenas for production of documents and deposition testimony to Mr. Padian in substantially the same form attached as Exhibits 2 and 3 to the Declaration of Nora Q.E. Passamaneck filed in support of this Application; and
- (2) Along with any subpoenas, Apple shall serve Mr. Padian with a copy of this Order.

SO ORDERED.

Dated: November 15, 2023



Kenneth M. Karas
United States District Judge